



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CARL DAVIS *ex rel.* UNITED STATES
OF AMERICA,
Plaintiff,

v.

DELORES DAVIS, in her individual
capacity and in her official capacity as
President and CEO of the Youth Rescue
Mission, Inc.,
Defendant.

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CIVIL ACTION NO: 1:08-CV-559

ORDER OF DISMISSAL

Pursuant to 28 U.S.C. § 636(b)(1)(A) and the Local Rules for the United States District Court, Eastern District of Texas, Appendix B, the court referred this matter to United States Magistrate Judge Keith F. Giblin for consideration and recommended disposition on case-dispositive pretrial motions.

On October 5, 2009, Judge Giblin issued a report and recommendation (#16). Judge Giblin recommended that the court dismiss the plaintiff's claims with prejudice for want of prosecution.

No party has filed objections to the magistrate judge's report in accordance with 28 U.S.C. § 636(b). The Court has reviewed the record in this cause and concludes that Judge Giblin's findings and recommendation should be accepted.

Based upon the magistrate judge's findings, the Court **ORDERS** that the report and recommendation (#16) is **ADOPTED**.

The Court further **ORDERS** that the plaintiff's claims are **DISMISSED** with prejudice for want of prosecution. This civil action is **CLOSED**.

SIGNED this the **17** day of **December, 2009**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge